

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

KENNETH SPEIGHT,

Petitioner,

v.

Civil Action No. 3:19CV368

MARK BOLSTER

Respondent.

MEMORANDUM OPINION

Kenneth Speight, a federal inmate proceeding pro se, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. By Memorandum Order entered on June 5, 2019, the Court directed Speight to complete and return, within fifteen (15) days of the date of entry thereof, an affidavit in support of his request to proceed in forma pauperis or pay the \$5.00 filing fee. The Court also explained that his habeas petition must be filed on standardized forms. The Court mailed Speight a copy of the standardized form for filing a § 2241 petition and directed Speight to complete and return the form to the Court within eleven (11) days of the date of entry thereof. Speight returned a completed in forma pauperis affidavit and subsequently paid the \$5.00 fee. However, Speight did not complete and return the standardized form for filing a § 2241 petition.

By Memorandum Order entered on July 1, 2019, the Court provided Speight with another opportunity to file his § 2241

petition on the standardized forms. The Court mailed Speight a second copy of the standardized form for filing a § 2241 petition and directed Speight to complete and return the form to the Court within eleven (11) days of the date of entry thereof. The Court explained that the failure to complete and return the forms within that time would result in dismissal of the action. See Fed. R. Civ. P. 41(b).

More than eleven (11) days have elapsed since the entry of the July 1, 2019 Memorandum Order and Speight has again failed to complete and return the standardized form to the Court. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Speight.

It is so ORDERED.

August 2
Date: July __, 2019
Richmond, Virginia

_____/s/ *REP*
Robert E. Payne
Senior United States District Judge